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	Application No.	Applicant(s)
Notice of Allowability	10/735,326	CASTELL ET AL.
Notice of Allowability	Examiner	Art Unit
	Lisa Lea-Edmonds	2835
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.		
1. This communication is responsive to <u>10/07/04</u> .		
2. The allowed claim(s) is/are <u>1-15</u> .		
3. The drawings filed on <u>12 December 2003</u> are accepted by the Examiner.		
<ul> <li>4. ☐ Acknowledgment is made of a claim for foreign priority una) ☐ All b) ☐ Some* c) ☐ None of the: <ol> <li>1. ☐ Certified copies of the priority documents have</li> <li>2. ☐ Certified copies of the priority documents have</li> <li>3. ☐ Copies of the certified copies of the priority do International Bureau (PCT Rule 17.2(a)).</li> </ol> </li> <li>* Certified copies not received:</li> <li>Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.</li> </ul>	e been received. e been received in Application No cuments have been received in this of this communication to file a reply	national stage application from the
5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.		
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.		
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached		
1) 🗌 hereto or 2) 🔲 to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).		
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.		
Attachment(s)  1.  Notice of References Cited (PTO-892)	5.  Notice of Informal F	Patent Application (PTO-152)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. Interview Summary	(PTO-413),
3. Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date	Paper No./Mail Da 08), 7. ☐ Examiner's Amendi	nent/Comment
4. Examiner's Comment Regarding Requirement for Deposit	8. X Examiner's Stateme	ent of Reasons for Allowance
of Biological Material	9.  Other	
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## **DETAILED ACTION**

## Allowable Subject Matter

- 1. Claims 1-15 are allowed.
- 2. The following is an examiner's statement of reasons for allowance: as to claims 1-15, the examiner of record agrees with applicant's statements (see pages 5-6 of the response dated 10/7/04) regarding the prior art previously applied (Camp Jr. et al.). It is also noted that the prior art of record fails to teach or fairly suggest such elements, pointed out by applicant, singularly or in combination. Therefore, claims 1-15 are deemed allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Lea-Edmonds whose telephone number is 571-272-2043. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field can be reached on (571) 272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lisa Lea-Edmonds
Primary Examiner
Art Unit 2835

12/09/04